

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

PETER SPROGIS, an individual,

Plaintiff,

vs.

JVL Ventures, L.L.C., a Delaware limited liability company,

Defendant.

Civil Action No. 1:12-cv-01352-SLR

**DEMAND FOR JURY TRIAL**

**PLAINTIFF SPROGIS' RESPONSE TO DEFENDANT JVL'S MOTION TO DISMISS  
THE INDIRECT INFRINGEMENT CLAIMS  
OF PLAINTIFF'S FIRST AMENDED COMPLAINT**

JVL's motion [DI 11] asked the Court to dismiss Sprogis' indirect infringement claims.

In response, Sprogis has prepared a Second Amended Complaint, which addresses each issue JVL raised in its motion to dismiss and ensures that any and all alleged pleading deficiencies are cured. JVL has consented to Sprogis' filing its Second Amended Complaint, thereby mooting JVL's motion to dismiss. Sprogis has consented to JVL responding to the Second Amended Complaint on or before May 31, 2013.

Dated: April 25, 2013

Respectfully submitted,

/s/ Kenneth L. Dorsney

Richard K. Herrmann (#405)

Kenneth L. Dorsney (#3726)

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